

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 1141 - HB 1377**

March 10, 2023

**SUMMARY OF BILL:** Authorizes an eligible complainant to file a complaint with the local education agency (LEA) or public charter school if an LEA or public charter school includes or promotes certain prohibited concepts as part of a course of instruction or allows teachers or other employees to use supplemental instructional materials that are prohibited. Establishes a complaint process pursuant to this section. Requires the Department of Education (DOE) to review all appeals and make a determination as to the outcome. Requires LEAs and public charter schools to post written determinations made about complaints on their website.

**FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- The proposed legislation expands the definition of "eligible complainant."
- Residents of a school zone or district with actual or constructive knowledge of an alleged violation of Tenn. Code Ann. § 49-6-1019(a) are currently not considered "eligible complainants" under Department Rule 0520-12-04-.02(6).
- Tennessee Code Annotated § 49-6-1019, establishing current prohibitions, has been in effect since May 25, 2021, and a version of Chapter 0520-12-04 of the Department of Education Rules has been in effect since November 8, 2021. Only one appeal has been filed with the DOE since the rules took effect, and the DOE's Office of General Counsel is aware of fewer than ten complaints being filed across the State since the Rules took effect.
- Therefore, it is assumed that DOE, LEAs, and public charter schools will be able to comply with the proposed legislation within existing resources. Any fiscal impact is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Krista Lee Carsner, Executive Director

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